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PATENT APPLICATION

ATTORNEY DOCKET NO. 200313614-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gregory E. Tierney, et al.

Confirmation No.: 9868

Application No.: 10/760,652

Examiner: Mardochee Chery

Filing Date: January 20, 2004

Group Art Unit: 2188

Title: SYSTEMS AND METHOD FOR CREATING ORDER POINTS

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated,  
March 13, 2007, rejecting the following claims 1 - 34

The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

**(complete (a) or (b) as applicable)**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month  
\$120

☐ 2nd Month  
\$450

☐ 3rd Month  
\$1050

☐ 4th Month  
\$1560

- ☐ The extension fee has already been filed in this application

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **08-2025** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

I hereby certify that this document is being  
transmitted to the Patent and Trademark Office  
via electronic filing.

Date of Transmission: May 4, 2007

Respectfully submitted,

Gregory E. Tierney, et al.

By: 

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Date : May 4, 2007

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